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UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

**INDICTMENT**

Plaintiff,

18 U.S.C. § 922(g)(1)

v.

18 U.S.C. § 922(q)(2)(A)

18 U.S.C. § 922(q)(3)(A)

SHELBY GENE BOSWELL,

18 U.S.C. § 924(a)(4)

18 U.S.C. § 924(d)(1)

Defendant.

18 U.S.C. § 924(e)

28 U.S.C. § 2461(c)

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

(Felon in Possession of a Firearm— Armed Career Criminal)

On or about October 18, 2019, in the State and District of Minnesota, the defendant,

**SHELBY GENE BOSWELL,**

having previously been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, and at least three of which were violent felonies or serious drug offenses committed on occasions different from one another, namely,

| OFFENSE  | JURISDICTION OF CONVICTION                          | DATE OF CONVICTION<br>(on or about) |
|--|---|-------------------------------------|
| Third Degree Assault – Substantial Bodily Harm         | Beltrami County, MN                                 | 6/15/2015                           |
| Assault with a Dangerous Weapon in Aid of Racketeering | United States District Court, District of Minnesota | 5/13/2013                           |
| Second Degree Assault                                  | Carlton County, MN                                  | 10/18/2010                          |

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and knowing he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm, namely, a Savage Arms Inc., Model 62, .22 caliber rifle, bearing serial number L293631, and did so knowingly, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

**COUNT 2**

(Possession of a Firearm in a School Zone)

On or about October 18, 2019, in the State and District of Minnesota, the defendant,

**SHELBY GENE BOSWELL,**

did knowingly possess a firearm, that is, a Savage Arms Inc., Model 62, .22 caliber rifle, bearing serial number L293631, that had moved in and affected interstate and foreign commerce, on the grounds of Fond du Lac Head Start which is within a distance of 1,000 feet of the grounds of Fond du Lac Ojibwe High School, a place that the defendant knew and had reasonable cause to believe was a school zone, in violation of Title 18, United States Code, Sections 922(q)(2)(A) and 924(a)(4).

**COUNT 3**

(Discharge of a Firearm in a School Zone)

On or about October 18, 2019, in the State and District of Minnesota, the defendant,

**SHELBY GENE BOSWELL,**

did knowingly and with reckless disregard for the safety of another discharge a firearm, that is, a Savage Arms Inc., Model 62, .22 caliber rifle, bearing serial number L293631, that had moved in and affected interstate and foreign commerce, on the grounds of Fond

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du Lac Head Start which is within a distance of 1,000 feet of the grounds of Fond du Lac Ojibwe High School, a place that the defendant knew and had reasonable cause to believe was a school zone, in violation of Title 18, United States Code, Sections 922(q)(3)(A) and 924(a)(4).

**FORFEITURE ALLEGATIONS**

Counts 1 through 3 of this Indictment are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

If convicted of any Count of this Indictment, the defendant,

**SHELBY GENE BOSWELL,**

shall forfeit to the United States any firearms and ammunition involved in or used in connection with such violation including but not limited to a Savage Arms Inc., Model 62, .22 caliber rifle, bearing serial number L293631, and all associated accessories and ammunition, pursuant to Title 18, United States Code, Section 924(d)(1), in conjunction with Title 28, United States Code, Section 2461(c).

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON